

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2014-194

A RESOLUTION AUTHORIZING THE EXECUTION OF TWO (2) AMENDMENTS TO THE UTILITY RELOCATION AGREEMENTS WITH CENTURYLINK COMMUNICATIONS, LLC (FORMALLY KNOWN AS QUEST COMMUNICATIONS LLC), AND MCI COMMUNICATIONS SERVICES, INC. TO MODIFY THE TECHNICAL SCOPE OF WORK AND COSTS ASSOCIATED WITH THE CW GRANT GRADE SEPARATION PROJECT; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENTS ON BEHALF OF THE COUNTY AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THE RESOLUTION; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE, ALL AS MAY BE REQUIRED UNDER THE TERMS OF THE AGREEMENTS; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners previously authorized the County to enter into Utility Relocation Agreements with CenturyLink Communications, LLC (f/k/a Quest Communications, LLC), and MCI Communication Services, Inc. (the "Companies") in relation to the CW Grant Separation Project via Resolution No. 2014-61; and

WHEREAS, the Board of Commissioners later authorized amending the Agreements to include a "Buy America" clause to satisfy Federal Highway Administration requirements and;

WHEREAS, due to recent construction plan modifications and clarifications the two companies have updated their scope of work and associated costs as follows:

**MCI Communications Services:**

Original Value: \$16,900.00  
New Value: \$24,060.00  
Increase: \$7,160.00

**CenturyLink Communications, LLC**

Original Value: \$397,391.44  
New Value: \$787,821.30  
Increase: \$390,429.86

WHEREAS, the County deems it in its best interest and the County will best be served by amending the Utility Relocation Agreements with the Companies.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS  
OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes the County to amend two Utility Relocation Agreements with CenturyLink Communications, LLC (f/ka Quest Communications, LLC), and MCI Communication Services, Inc. (the “Companies”) to reflect modification of the technical scope of work and an increase in original values. Copies of the amended Agreements are attached hereto and shall be subject to such minor changes, deletions or insertions deemed as necessary by the Chairman. The Board of Commissioners hereby authorizes the Chairman to execute the Agreements on behalf of the County and to perform all other acts necessary to accomplish the intent of this Resolution. Further, the Board of Commissioners hereby authorizes the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreements.

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.


**{SIGNATURE PAGE FOLLOWS}**

SO RESOLVED, this the 5<sup>th</sup> day of August, 2014.

CLAYTON COUNTY BOARD OF COMMISSIONERS

  
JEFFREY E. TURNER, CHAIRMAN

  
SHANA M. ROOKS, VICE CHAIRMAN

  
MICHAEL EDMONDSON, COMMISSIONER

  
SONNA GREGORY, COMMISSIONER

  
GAIL B. HAMBRICK, COMMISSIONER

ATTEST:

  
SHELBY D. HAYWOOD, CLERK